

## COPY OF TRANSCRIPT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

W.A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES )  
FOR THE STATE OF OKLAHOMA )

Plaintiffs, )

vs. )

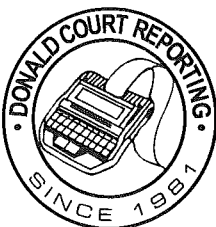
4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al., )

Defendants. )

### VIDEOTAPED DEPOSITION OF KIRK HOUTCHENS

Taken at the law offices of Mitchell, Williams,  
Selig, Gates & Wooyard, 5414 Pinnacle Point Drive, Suite  
500, Rogers, Arkansas 72758, on July 26, 2007, at 11:36  
a.m.



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1 currently owns a lot of the birds that we're concerned  
2 about, but I want to talk to you about the kinds of houses  
3 the birds are raised in and the number of houses and where  
4 they're located and all of that. I believe I've already  
5 learned that Peterson does not presently own any of the  
6 chickens that are raised under, I guess, Evans & Evans's  
7 ownership, does it not?

8 A. I am not aware of that.

9 Q. Let me try to ask a better question than that.

10 For a period of time, Peterson contracted with  
11 growers to raise chickens. Correct?

12 A. I believe that's correct. Yes.

13 Q. When did that end, if it has ended?

14 A. I'm not aware of that.

15 Q. Does Peterson currently own and operate any hen  
16 houses?

17 A. Yes. They would be primary breeder hens.

18 Q. Okay. Where are those located?

19 A. They would be in Decatur, Arkansas.

20 Q. Does Peterson currently own and operate any pullet  
21 houses?

22 A. Yes.

23 Q. Where would those be?

24 A. Decatur, Arkansas.

25 Q. Does Peterson currently own and operate any broiler

1 A. Yes.

2 Q. Does Peterson determine the formulas for all the  
3 feed and the types of feed which are provided to its  
4 contract growers?

5 A. Yes.

6 Q. Where are the feed mills where the Peterson feed is  
7 actually produced?

8 A. We have one feed mill --

9 Q. One feed mill in Decatur?

10 A. -- in Decatur, Arkansas.

11 Q. Do any of the ingredients in the Peterson feed  
12 that's provided to its growers come from within the  
13 Illinois River Watershed?

14 A. Not that I'm aware of, no.

15 Q. How much feed is fed annually to all of Peterson's  
16 chickens, anywhere they're grown? Do you have a number  
17 for that?

18 A. No, I don't have an exact number. We -- we  
19 manufacture approximately 8,000 tons a week in our  
20 feeders.

21 Q. And you only manufacture feed for your own chickens.  
22 Correct?

23 A. We do sell some to George's.

24 Q. All right. How much of that 8,000 tons a week?

25 A. No, that'd be -- about 8,000 is about what we